

RESOLUTION NO. A-_____

1 WHEREAS, the Board of Regents of the University of Nebraska, a public body
2 corporate and governing body of the University of Nebraska-Lincoln (University), the City of
3 Lincoln, Nebraska, a municipal corporation (City), and the Lower Platte South Natural Resources
4 District, a political subdivision of the State of Nebraska (NRD), all of which are public agencies
5 within the meaning of Neb. Rev. Stat. § 13-803 (Reissue 1997) agree that it is in their mutual
6 best interest to coordinate planning and implementation of a public project which is described in
7 the Antelope Valley Study and the United States Army Corps of Engineer Antelope Creek
8 Feasibility Study (Project), in cooperation with one another through an Interlocal Agreement
9 creating a joint administrative entity known as the Joint Antelope Valley Authority, to act on
10 behalf of the parties for the purposes, and upon the terms and conditions set forth in the Interlocal
11 Agreement;

12 WHEREAS, Article 15, Section 18 of the Nebraska Constitution and the
13 Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq. (Reissue 1997) permit subdivisions
14 and governments in the State of Nebraska to cooperate with one another for the purpose of jointly
15 exercising governmental authority and responsibilities;

16 WHEREAS, Article 2, Section 5 of the City's Charter grants to the City the power
17 to join with other subdivisions, agencies, or public corporations, whether federal, state, or local,
18 or with any number or combination thereof, by contract or otherwise, as may be permitted by the
19 laws of the State of Nebraska, in the joint ownership, operation, or performance of any property,
20 facility, power, or function, or in agreements containing provisions that one or more thereof
21 operate or perform for the other or others and to appropriate and spend money for such purposes;

1 and

2 WHEREAS, the University, City, and NRD are all public agencies within the
3 meaning of Neb. Rev. Stat. § 13-803 (1997) and have previously entered into the Joint Antelope
4 Valley Authority Interlocal Cooperation Agreement (Agreement) effective April 15, 2000
5 (Resolution No. A-80069); and

6 WHEREAS, the City Council has approved Comprehensive Plan Amendment 94-
7 60 amending the Future Land Use, Long Range Transportation, Stormwater, Community
8 Facilities and other appropriate portions of the Comprehensive Plan and Long Range
9 Transportation Plan contained therein, to reflect the elements of the Antelope Valley Project; and

10 WHEREAS, pursuant to the Agreement, the City of Lincoln desires to initiate the
11 implementation period of the Agreement as provided herein.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
13 Lincoln, Nebraska:

14 1. The City of Lincoln, Nebraska, shall initiate the implementation period of
15 the Agreement as provided herein.

16 2. Upon receipt of the Record of Decision from the United States Department
17 of Transportation Federal Highway Administration approving the Antelope Valley
18 Environmental Impact Statement, the Mayor is hereby authorized to execute Exhibit "B"
19 attached hereto, initiating the implementation period of the Agreement on behalf of the City of
20 Lincoln.

21 3. The Mayor is hereby authorized to take all action necessary on behalf of
22 the City of Lincoln as provided in the Agreement so that the implementation period of the
23 Agreement may enter into force consistent with the provisions of this Resolution and Neb. Rev.

1 Stat. § 13-804(2) (1997).

2 4. The City's Public Works Director Allan Abbott is appointed as
3 representative and the City Engineer is appointed as alternate representative to act on behalf of
4 the City of Lincoln at any meeting of the administrative board of JAVA created by the
5 Agreement.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant